

ORDINANCE 122714

AN ORDINANCE related to land use and zoning; amending Section 23.50.027 of the Seattle Municipal Code to correct a drafting error and clarify the intent of Ordinances 122601 and 122611; and ratifying and confirming prior acts.

WHEREAS, on December 17, 2007 the City Council passed Ordinance 122601 and 122611, both amending Section 23.50.027 of the Seattle Municipal Code;

WHEREAS, Section 17 of Ordinance 122611 attempted to clarify the combined effect of passage of both ordinances on the same day; and

WHEREAS, contrary to Council's intent, that section contains a drafting error, omitting an amendment in ordinance 122601 related to the applicability of maximum size of use limits to accessory uses;

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Subsection A.1 of Seattle Municipal Code Section 23.50.027, which section was last amended by Ordinance 122611, is amended as follows:

A. Applicability.

1. Except as otherwise provided in this section, the maximum size of use limits on gross floor area specified in Chart A of this section apply to principal uses on a lot. (~~The maximum size of use limits apply to both principal and accessory uses on a lot.~~) The limits apply separately to the categories of uses listed on Chart A. The total gross floor area occupied by uses limited under Chart A shall not exceed an area equal to two and one-half times (2.5) the area of the lot in an IG1, IG2, IB or IC zone, or three (3) times the lot area in IC zones with sixty-five (65) foot or eighty-five (85) foot height limits in the South Lake Union Urban Center.

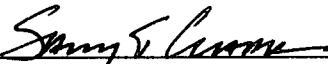
\* \* \*



Section 2. This ordinance is intended to clarify the intent of prior ordinances and therefore shall apply retroactively as of January 20, 2008, any provision of chapter 23.76 notwithstanding. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

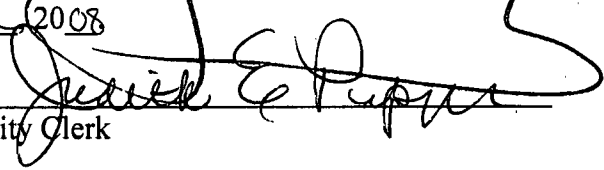
Passed by the City Council the 16<sup>th</sup> day of June, 2008, and signed by me in open session in authentication of its passage this 16<sup>th</sup> day of June, 2008

  
President pro tem of the City Council

Approved by me this 25<sup>th</sup> day of June 2008

  
Gregory J. Nickels, Mayor

Filed by me this 25<sup>th</sup> day of June 2008

  
City Clerk

(Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Ketil Freeman 4-8178	NA

**Legislation Title:**

AN ORDINANCE related to land use and zoning; amending Section 23.50.027 of the Seattle Municipal Code to correct a drafting error and clarify the intent of Ordinances 122601 and 122611; and ratifying and confirming prior acts.

• **Summary of the Legislation:**

This legislation amends a drafting error in Ordinance 122611, which was codified in Section 23.50.027 of the Seattle Municipal Code (SMC), and ratifies and confirms acts consistent with the amendment.

• **Background:**

On December 17, 2007, Council adopted Ordinances 122601 and 122611, both of which amend Section 23.50.027 of the SMC. Ordinance 122611, which was adopted second, contained a section clarifying the effect of adopting both ordinances. Contrary to Council intent, that section contained a drafting error that applied reduced Maximum Size Limits (MSLs) to accessory uses for some non-industrial uses in General Industrial 1 and General Industrial 2 zones.

• *Please check one of the following:*

**X** **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

FILED  
CITY OF SEATTLE

08 JUL 18 PM 1:05

CITY CLERK

**STATE OF WASHINGTON – KING COUNTY**

--SS.

226212  
CITY OF SEATTLE, CLERKS OFFICE

No.

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

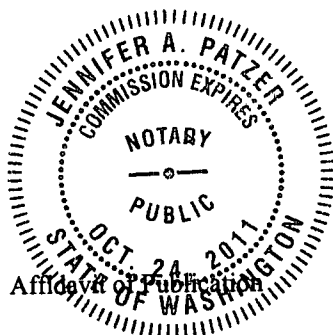
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122714 ORDINANCE

was published on

06/30/08

The amount of the fee charged for the foregoing publication is the sum of \$ 112.40, which amount has been paid in full.



Subscribed and sworn to before me on  
06/30/08  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

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WHEREAS, Section 17 of Ordinance 122611 attempted to clarify the combined effect of passage of both ordinances on the same day; and

WHEREAS, contrary to Council's intent, that section contains a drafting error, omitting an amendment in ordinance 122601 related to the applicability of maximum size of use limits to accessory uses;

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Subsection A.1 of Seattle Municipal Code Section 23.50.027, which section was last amended by Ordinance 122611, is amended as follows:

#### A. Applicability.

1. Except as otherwise provided in this section, the maximum size of use limits on gross floor area specified in Chart A of this section apply to principal uses on a lot. ~~((The maximum size of use limits apply to both principal and accessory uses on a lot.))~~ The limits apply separately to the categories of uses listed on Chart A. The total gross floor area occupied by uses limited under Chart A shall not exceed an area equal to two and

one-half times (2.5) the area of the lot in an IG1, IG2, IB or IC zone, or three (3) times the lot area in IC zones with sixty-five (65) foot or eighty-five (85) foot height limits in the South Lake Union Urban Center.

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Section 2. This ordinance is intended to clarify the intent of prior ordinances and therefore shall apply retroactively as of January 20, 2008, any provision of chapter 23.76 notwithstanding. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 16th day of June, 2008, and signed by me in open session in authentication of its passage this 16th day of June, 2008.

Nick Licata

President of the City Council

Approved by me this 25th day of June, 2008:

Gregory J. Nickela, Mayor

Filed by me this 25th day of June, 2008.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, June 30, 2008.

6/30/2008